



Town of Brookline

Massachusetts

Planning Board

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Linda K. Hamlin, Chairman
Steven A. Heikin, Clerk
Robert Cook
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Sergio Modigliani
Matthew Oudens
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BROOKLINE PLANNING BOARD MEETING MINUTES

Town Hall, Room 111

August 17, 2016 – 8:15 a.m.

Board Present: Linda Hamlin, Steven Heikin, Robert Cook, Matthew Oudens, Blair Hines, Sergio Modigliani, Mark Zarrillo

Staff Present: Andy Martineau

Guests: Hugh Mattison, Ruthann Schneider

Materials: Agenda, River Road Study Committee powerpoint, Sign By-law amendments powerpoint

Linda Hamlin called the meeting to order.

Presentation and Discussion of Emerald Island Special District Zoning Amendment and possible vote on Special District Design Guidelines

Andy Martineau provided an overview of the recently completed River Road Study Committee process which resulted in the Committee voting to submit a zoning warrant article for town meeting consideration this fall.

If passed, the warrant article would establish the Emerald Island Special District, which would allow for a proposed hotel development at 25 Washington Street to move forward and for a range of mixed uses to potentially move forward on the other parcels in the future.

Andy Martineau presented how the special district zoning is triggered, noting that there are very specific requirements with respect to minimum lot size, lot coverage, sidewalk widths, uses, floor heights, and public benefits that need to be met under the Special District zoning.

Several Board members stated that they wanted to know more about how the minimum sidewalk widths are being used as a proxy for a traditional setback.

Andy Martineau stated that creating wider sidewalks was one of the key points of emphasis by the Committee who wanted to create a more pedestrian friendly environment. Since the lots are odd shaped and narrow, making development a challenge, the Committee decided to use minimum sidewalk widths in lieu of a more traditional setback requirement.

Steve Heikin stated that the Committee has also developed a robust set of design guidelines. The Committee is hoping that the Planning Board will adopt them so that they are used during Planning Board and DAT review of future projects.

Andy Martineau stated that the design standards included in the zoning require building mass to be broken up and articulated; however, the language is flexible to allow for the Planning Board, DAT and project architects to have a discussion about building design. The design guidelines are intended to inform that discussion where previous Special District zoning did not offer such guidance.

Several Board members asked about why the parking levels could not be setback more to perhaps allow for more trees.

Steve Heikin stated that the Committee discussed doing so at length with the developer and that the parking ramp and geometry of the parking levels is such that the building is not able to be shifted without compromising the feasibility of the ramp and parking and therefore the feasibility of the building.

Hugh Mattison stated that while he voted as a member of the River Road Study Committee to submit a warrant article, he does not agree with the minimum required width for Washington Street and he is going to aggressively pursue trying to change it.

Linda Hamlin stated that there is a lot to consider with the zoning proposal and that clear presentations on how it works and what would result will be necessary for people to really understand it.

The Board further discussed the design guidelines, observing that they are far more advanced than design guidelines that had been developed for previous districts.

VOTE: The Board voted unanimously to formally adopt the Emerald Island Special District Design Guidelines created by the River Road Study Committee.

Presentation and Discussion of Section 7.00 – Sign By-Law Zoning Amendment

Andy Martineau briefly reviewed Reed v. Gilbert, AZ, a recent US Supreme Court case in which a small community church challenged Gilbert's sign code, citing that it unfairly regulated their temporary signs that advertised the hours and location of church services for the week. The US

Supreme Court ultimately ruled in favor of Reed, citing that Gilbert's sign code violated the first amendment because their regulations for temporary signs are not content-neutral.

Andy stated that the Supreme Court decision is prompting communities across the country, including Brookline, to amend their sign regulations so that they are content neutral.

Andy stated that many of the changes are a matter of housekeeping as the existing by-law has several content-based exceptions for signs. Those exceptions would be eliminated.

Andy also stated that staff has taken this opportunity to eliminate redundancies in the by-law and to try and make it more clear and more user-friendly.

Several Board members expressed some concern about how these changes will impact the Board's review of new commercial signs.

Andy stated that the Board will no longer be able to ask applicant's to change the content of their sign unless it is offensive. The Board will still be able to regulate time, place and manner; however, those provisions are only applicable to sign codes that are content neutral.

MEETING ADJOURNED.